

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

FUNDS SEIZED FROM FIDELITY  
INVESTMENTS ACCOUNT ENDING  
IN XXXX7422;

FUNDS SEIZED FROM FIDELITY  
INVESTMENTS ACCOUNT ENDING  
IN XXXX8340;

FUNDS SEIZED FROM FIDELITY  
INVESTMENTS ACCOUNT ENDING  
IN XXXX7449;

FUNDS SEIZED FROM FIDELITY  
INVESTMENTS ACCOUNT ENDING  
IN XXXX6909;

FUNDS SEIZED FROM FIDELITY  
INVESTMENTS ACCOUNT ENDING  
IN XXXX4334;

FUNDS SEIZED FROM BANK OF  
EASTMAN ACCOUNT ENDING  
IN XX7548;

FUNDS SEIZED FROM STATE BANK  
AND TRUST COMPANY ACCOUNT  
ENDING IN XXXX7036;

FUNDS SEIZED FROM UNITED  
FIRST FEDERAL CREDIT UNION  
ACCOUNT ENDING IN XX7265;

FUNDS SEIZED FROM T. ROWE  
PRICE ACCOUNT ENDING  
IN XXXX3286;

J.S. DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION  
FILED IN OFFICE  
4:09 p.m.  
January 6, 2020  
[Signature]  
Deputy Clerk

CV 316-020

FUNDS SEIZED FROM T. ROWE \*  
PRICE ACCOUNT ENDING \*  
IN XXXX5215, converted to \*  
CLERK'S REGISTRY DEPOSIT IN THE \*  
AMOUNT OF \$823,561.62 PLUS \*  
INTEREST; \*

CV 320-002

FUNDS SEIZED FROM ATHENS \*  
FIRST BANK AND TRUST ACCOUNT \*  
ENDING IN XXXX4344; \*

FUNDS SEIZED FROM EMORY \*  
CAPITAL MANAGEMENT ACCOUNT \*  
ENDING IN XX2400; \*

FUNDS SEIZED FROM EMORY \*  
CAPITAL MANAGEMENT ACCOUNT \*  
ENDING IN XX2401; \*

REAL PROPERTY LOCATED AT 821 \*  
PLAZA AVENUE, EASTMAN, GEORGIA; \*

REAL PROPERTY LOCATED AT 3037 \*  
HIGHWAY 257, DUBLIN, GEORGIA; \*

REAL PROPERTY LOCATED AT 2772 \*  
CLAXTON DAIRY ROAD, DUBLIN, \*  
GEORGIA; \*

REAL PROPERTY CONSISTING OF \*  
62.3 ACRES IN DODGE COUNTY, \*  
GEORGIA; \*

REAL PROPERTY CONSISTING OF \*  
56.47 ACRES IN DODGE COUNTY, \*  
GEORGIA; \*

Defendants. \*

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**ORDER FOR SEVERANCE  
WITH DIRECTIVES TO THE PARTIES**

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The captioned matter has presented confusing issues relative to the forfeiture of certain properties. The Court will not review those presently but will simply refer to the record which is self-evident in that regard. There is one property which is uncomplicated in that it consists of cash money of a significant sum on deposit in the Registry of the Court as to which the government has disavowed any claim. (See Order of Sept. 18, 2019, Doc. No. 95, at 3; Hrg. Tr. of Sept. 16, 2019, Doc. No. 100, at 6.) As to this fund, there are but two claimants, Lisa Bird and George Mack Bird IV, mother and son respectively. George Mack Bird IV is represented by counsel; Lisa Bird appears *pro se*.

The presiding judge has, perhaps, as much experience in *pro se* litigation as other district judges of equal seniority. Cases involving *pro se* litigants are generally, if not always, more intricate because of the *pro se* party's identity with and interest in the outcome and unfamiliarity with court proceedings. Here the *pro se* status is even more problematic than usual because of the relationship of the parties claimant. Ever hopeful that this matter can be simplified and unnecessary controversy avoided, the Court has, after due consideration, decided to chart the course of claims against this single asset dispute as follows: All matters relating to the claims of Lisa Bird and George Mack Bird IV with respect to the fund on deposit with the Clerk in the amount of \$823,561.62, together with accrued interest thereon, shall be

severed from the captioned case. All claims of Lisa Bird and George Mack Bird IV with respect to the cash fund on deposit with the Clerk shall henceforth travel as one civil action in this district court, Dublin Division, under the following caption:

"In re \$823,561.62 on Deposit in the Registry of the Court."

The competing claims against this fund by Lisa Bird and George Mack Bird IV shall be set for a pretrial conference, trial, and decision by the Court in the new civil action as soon as practicable. Accordingly, all filings related to this fund shall now be made only in the new civil action under the case caption:

"In re \$823,561.62 on Deposit in the Registry of the Court."


The remaining forfeiture matters regarding the other listed assets and the claims of the United States of America and any third-party claimants thereto shall continue to abide as before under the case number shown in the caption of this Order.

Henceforth, the United States of America and the United States Attorney for this District are relieved from the requirement of an appearance in scheduled hearings and trials in the newly created case except when given notice to do so by the Court. Nevertheless, to the extent that the United States Attorney is possessed of information relative to the rights and claims of the claimants, Lisa Bird and George Mack Bird IV, that office shall provide discovery and information to the parties equally as directed by the Court from time to time.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Clerk shall forthwith establish a new case file under the Case Number 3:20-CV-002, which shall be captioned as aforestated. The Clerk shall add Lisa Bird and George Mack Bird IV as Claimants in the new case. The Clerk shall serve a copy of this Order upon Lisa Bird by certified mail, return receipt requested. And, it is **FURTHER ORDERED** that this Order shall be filed in the captioned case, 3:16-CV-020, as well as in the new civil action, 3:20-CV-002, where it shall appear as the initial pleading of origination in the new civil action.

Upon the opening of this new civil action, the Clerk is authorized and directed to transfer all of the fund of \$823,561.62 plus accrued interest on deposit in this forfeiture action, Case Number 3:16-CV-020, so that henceforth the deposit shall be shown under the case number of the new civil action. The Clerk is further authorized and directed to pay the filing fee of the new civil action from the funds on deposit.

**ORDER ENTERED** at Augusta, Georgia this 6<sup>th</sup> day of January, 2020.

  
UNITED STATES DISTRICT JUDGE